

**WILLIAM R. BURGNER**  
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Attorney for Defendant  
CHRISTIAN GUTIERREZ

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	CASE NO.: 08CR272- WQH
	)	
Plaintiff,	)	NOTICE OF MOTION AND
	)	MOTION TO:
vs.	)	
	)	1) COMPEL DISCOVERY
CHRISTIAN GUTIERREZ,	)	2) LEAVE TO FILE
	)	FURTHER MOTIONS
	)	
	)	DATE: March 3, 2008
Defendant.	)	TIME: 9:00 AM
	)	JUDGE: HAYES

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND MARK CONOVER,  
ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on March 3, 2008 or as soon thereafter as counsel may be heard, the defendant, Christian Gutierrez, by and through his attorney William R. Burgener, will ask this Court to issue an order granting the motions listed below.

**MOTION**

The defendant, Christian Gutierrez, by and through his attorney, William R. Burgener, asks this court pursuant to the Fifth and Sixth Amendments to the United States Constitution, Federal Rules of Criminal Procedure 12 and 16, and all other applicable statutes, case law and local rules, hereby moves this Court for an order to:

1 1) compel discovery;

2 2) leave to file further motions.

3 These motions are based upon the instant motions and notice of motions, the attached  
4 memorandum of points and authorities, the files and records in the above-captioned matter, and  
5 any and all other materials that may come to this Court's attention prior to or during the hearing  
6 of these motions.  
7

8 Respectfully submitted,

9  
10 Dated: February 25, 2008

s/William R. Burgener  
11 WILLIAM R. BURGNER  
12 Attorney for Defendant  
13 CHRISTIAN GUTIERREZ  
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